

**UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD
MODIFIED SOLID WASTE PERMIT**

CLASS V LANDFILL

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Utah Code Annotated (UCA) 1953, as amended (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code (UAC) R315-301 through 320 adopted thereunder,

Owner/Operator: Wasatch Regional Landfill Inc.

and

Property Owner: State of Utah School and Institutional Trust Lands Administration

are hereby authorized to construct and operate the Wasatch Regional Class V Landfill located in Tooele County, Utah on the acreage as shown in the *Permit Application-Class V Municipal Solid Waste Disposal Facility- Wasatch Regional Landfill, Prepared by PSOMAS, January 2005*, (tracking # 0500027) as deemed complete on January 14, 2005.

The operation of the landfill is subject to the condition that Wasatch Regional Landfill Inc. and State of Utah School and Institutional Trust Lands Administration meet the requirements set forth herein.

All references to UAC R315-301 through 320 are to regulations that are in effect on the date that this modified permit becomes effective.

This modified permit shall become effective August 10, 2005.

This modified permit shall expire at midnight February 17, 2010.

Modification signed this 10th day of August, 2005.

Original Document signed by Dennis R. Downs on 8/10/05

Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

PERMIT REQUIREMENTS

LANDFILL NAME: Wasatch Regional Class V Landfill

LANDFILL OWNER/
OPERATOR Wasatch Regional Landfill Inc.
675 South Gladiola
Salt Lake City, Utah 84104
(phone: 801-972-4234)

and

LANDFILL OWNER State of Utah School and Institutional Trust Lands Administration
675 East 500 South Suite 500
Salt Lake City, Utah 84102-2818
(phone: 801-538-5100)

TYPE OF PERMIT: Class V Landfill

PERMIT NUMBER: 0501M

LOCATION: Landfill site is located in all or part of Township 1 north, Range 8 west, Sections 3 and 4 and all or part of Township 2 North Range 8 west, Sections 32, 33, and 34 SLMB; Tooele County, the southeastern corner of the site located at North Lat. 40 deg° 50 min' 28 sec", West Long. 112 deg° 44 min' 0 sec"

Permit as used in this document is defined in Utah Administrative Code (UAC) R315-301-2(55).

The application consisting of the, *Permit Application-Class V Municipal Solid Waste Disposal Facility- Wasatch Regional Landfill, Prepared by PSOMAS, January 2005* (tracking # 05.00027), as deemed complete on January 14, 2005 and the final *Wasatch Regional Landfill-Municipal Solid Waste Landfill Permit Modification- Design Engineering Report* (tracking # 04.04384) as deemed complete on June 27, 2005 are hereby incorporated by reference into this Modified Solid Waste Permit and will be referred to as the permit application throughout this modified permit. Throughout the remainder of this permit the term "permit" shall be used in place of the term "modified permit." All representations made in the permit application are part of this permit and are enforceable under UAC 315-301-5(2). The permit application will become part of the operating record of the Landfill. Where differences in wording exist between this permit and the application, the wording of the permit supersedes that of the application.

By this permit to own and operate, the Permittees are subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittees shall operate the landfill in accordance with all applicable requirements of UAC R315-302 and 303, for a Class V landfill, that are in effect as of the date of this permit unless otherwise noted in this permit. Any permit noncompliance or other noncompliance constitutes a violation of UAC R315-302 or 303 and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B. Acceptable Waste

This permit is for the disposal of non-hazardous solid waste that may include, municipal solid waste, commercial waste, industrial waste, construction/demolition waste, and special waste as defined in UAC R315-301. The permittee may accept conditionally exempt small quantity generator hazardous waste as specified in UAC R315-303-4(7)(a)(i)(B) and PCB's as specified by UAC R315-315-7(2).

C. Prohibited Waste

No hazardous waste as defined by UAC R315-1 and R315-2 or PCB's as defined by UAC R315-301-2(53), except as allowed in Section IB (Acceptable Waste) of this permit, may be accepted for treatment, storage, or disposal at the landfill. Any prohibited waste received and accepted for treatment, storage, or disposal at the facility will constitute a violation of this permit and UAC R315-303-4(7).

D. Inspections and Inspection Access

The Permittees shall allow the Executive Secretary of the Utah Solid and Hazardous Waste Control Board or an authorized representative of the Board, including representatives from the Tooele County Health Department, to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or UAC R315-301 through 320;
2. Have access to and copy any records required to be kept under the terms and conditions of this Permit or UAC R315-301 through 320;

3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this Permit or regulated under UAC R315-301 through 320; and
4. Create a record of any inspection by photographic, videotape, electronic, or any other reasonable means.

E. Noncompliance

If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under UAC R315-301 through 320 may be or is being violated, the Permittees shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules. In the event of any noncompliance with any permit condition or violation of an applicable rule, the Permittees shall promptly take any feasible action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility. The Permittees shall: document the noncompliance or violation in the operating record, on the day the event occurred or the day it was discovered; notify the Executive Secretary of the Solid and Hazardous Waste Control Board within 24 hours, or the next business day following documentation of the event; and give written notice of the noncompliance or violation and measures taken to protect public health and the environment within seven days of Executive Secretary notification. Within thirty days of the documentation of the event, the Permittees shall submit, to the Executive Secretary, a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Executive Secretary may order the Permittees to perform appropriate remedial measures including development of a site remediation plan for approval by the Executive Secretary.

In an enforcement action, the Permittees may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with UAC R315-301 through 320 and this permit.

Compliance with the terms of this permit does not constitute a defense to actions brought under any other local, State, or Federal laws. This permit does not

exempt the Permittees from obtaining any other local, State or Federal permits or approvals.

The issuance of this Permit does not convey any property rights, other than the rights inherent in this permit, in either real or personal property, or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations including zoning ordinances.

The provisions of this Permit are severable. If any provision of this Permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

F. Revocation

This permit is subject to revocation if any condition of this permit is not being met. The Permittees will be notified in writing prior to any proposed revocation action and such action will be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.

Revocation of this permit does not revoke the financial assurance established for closure and post-closure care of the facility, nor remove any responsibility on the part of the Permittees for completion of closure and post-closure care for the facility required in UAC R315-302-3.

G. Attachment Incorporation

Attachments incorporated by reference are enforceable conditions of this permit, as are documents incorporated by reference into the attachments. Language in this permit supercedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

Prior to Construction. The Permittees shall submit construction design drawings and a Construction Quality Control and Construction Quality Assurance (CQC/CQA) Plans to the Executive Secretary for approval prior to each landfill cell, cell liner, run-on and runoff diversion system, waste treatment facility, or final cover construction event. Buildings do not require approval. The Permittees

shall construct the landfill according to the equivalent design contained in the permit application including cells, cell liners, run-on and run-off diversion systems, waste treatment facilities, and the final cover in accordance with the design drawings and CQC/CQA Plans submitted and approved by the Executive Secretary.

Subsequent to Construction. The Permittees shall notify the Executive Secretary upon completion of construction of any landfill cell, cell liner, run-on or run-off diversion system, waste treatment facility, or final cover. Landfill cells may not be used for treatment or disposal of waste until all CQC/CQA documents and construction related documents including as-builts are approved by the Executive Secretary. The Permittees shall submit as-built drawings for each construction event that are signed and sealed by an engineer registered in the State of Utah.

Partial Final Cover. The Permittees shall notify the Executive Secretary of any proposed incremental closure or placement of any part of the final cover. Construction of any portion of the final cover shall be considered as a separate construction event and shall be approved separately from any other construction or expansion of the landfill. Design approval must be received from the Executive Secretary prior to construction and must be accompanied by a CQC/CQA Plan, for each construction season where incremental closure is performed.

All engineering drawings submitted to the Executive Secretary must be stamped, signed, and approved by a professional engineer with a current registration in Utah.

B. Run-On Control

Drainage channels and diversions shall be constructed as specified in the permit application and maintained at all times to effectively prevent runoff from the surrounding area from entering the landfill.

C. Quality Assurance Construction Plan

A quality assurance plan for construction of the liner system, leachate collection system, and final landfill cover shall be submitted by the Permittees along with all necessary documentation to the Executive Secretary. Executive Secretary approval must be received prior to construction of any part of the liner system or final cover at the landfill.

A qualified independent third party shall perform the quality assurance function of the approved construction quality control/quality assurance (QC/QA) plan.

The results must be submitted as part of the as-built drawings to the Executive Secretary.

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the permit application and the solid waste permit issued by the Executive Secretary shall be kept onsite at the landfill. The landfill shall be operated in accordance with the operations plan as included in the permit application. If necessary, the facility owner may modify the Operations Plan, provided that the modification meets all of the requirements of UAC R315-301 through 320 and is as protective of human health and the environment as that approved in the permit application. Any modification to the Operations Plan shall be noted in the operating record

B. Security

The Permittees shall operate the Landfill so that unauthorized entry to the facility is prevented. All facility gates and other access routes shall be locked during the time the landfill is not open. At least two persons, employed by the Wasatch Regional Landfill Inc., shall be at the landfill during all hours that the landfill is open. Fencing and any other access controls as shown in the permit application shall be constructed to prevent access of persons or livestock by other routes.

C. Training

Permittees shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification, and personal safety and protection.

D. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of UAC R315-303-4(2)(b).

E. Daily Cover

The solid waste received at the landfill shall be completely covered at the end of each working day with a minimum of six inches of earthen material.

Use of any alternative daily cover must be approved by the Executive Secretary. If an alternative cover is approved at any time during the life of this permit the following conditions will apply:

1. Apply standard daily cover (min. 6 inches of soil) at least once per week, primarily to serve as a firebreak.
2. Apply standard daily cover any time the daily cover will be exposed for greater than 24 hours (normally this occurs once per week and also satisfies Condition "a" above).
3. Apply standard daily cover when weather conditions (e.g., wind, rain, etc.) prevent proper use of alternate daily cover. Conditions 1 2 and 3 do not normally apply if the alternative daily cover is contaminated soil or tire/wood chips.
4. Record alternative daily cover use dates in the facility daily operating log.
5. Permission to use alternative daily cover may be rescinded or amended if the requirements to prevent blowing debris, minimize access to the waste by vectors, minimize the threat of fires at the open face, minimize odors, or shed precipitation are not met, or if necessary to prevent nuisance conditions or adverse impacts to human health and or the environment.

F. Ground Water Monitoring

The Permittees shall monitor the ground water underlying the landfill in accordance with the Ground Water Sampling and Analysis Plan contained in the permit application. The Permittees shall modify the Ground Water Sampling and Analysis Plan to reflect the installation of the groundwater monitoring wells. The modified Ground Water Sampling and Analysis Plan shall be submitted to the Executive Secretary for review. The modified Ground Water Sampling and Analysis Plan must be approved by the Executive Secretary prior to receipt of waste at the landfill. The modified Ground Water Monitoring Plan must include surveyed as-builts, well logs, detailed drawings and maps for all the groundwater monitoring wells, and any necessary changes to the ground water QA/QC Plan, sampling procedures, and statistical methods.

G. Gas Monitoring

The Permittees shall monitor explosive gases at the landfill in accordance with the Gas Monitoring Plan contained in the permit application and shall otherwise meet the requirements of UAC R315-303-3(5). If necessary, the facility owner may

modify the Gas Monitoring Plan, provided that the modification meets all of the requirements of UAC R315-301 through 320 and is as protective of human health and the environment as that approved in the permit application. Any modification to the Gas Monitoring Plan shall be noted in the operating record.

If the concentrations of explosive gases at any of the facility structures, at the property boundary or beyond, ever exceed the standards set in UAC R315-303-2(2)(a), the Permittees shall immediately take all necessary steps to ensure protection of human health and notify the Executive Secretary. Within seven days of detection, place in the operating record the explosive gas levels detected and a description of the immediate steps taken to protect human health. Implementation of a remediation plan shall meet the requirements as stated in UAC R315-303-3(5)(b) and shall be submitted to and receive approval from the Executive Secretary prior to implementation.

H. Waste Inspections

The Permittees shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this permit are disposed in the landfill. A complete waste inspection shall be conducted at a minimum frequency of 1 % of incoming loads. Loads to be inspected are to be chosen on a random basis.

All containers capable of holding more than five gallons of liquid will be inspected to assure that the container is empty.

All loads that the operator suspects may contain a waste not allowed for disposal at the landfill will be inspected.

Complete random inspections shall be conducted as follows:

1. The operator shall conduct the random waste inspection at the working face or an area designated by the operator;
2. The load to be inspected will be chosen on a random basis;
3. Loads subjected to complete inspection shall be unloaded at the designated area;
4. Loads shall be spread by equipment or by hand tools;
5. A visual inspection of the waste shall be conducted by personnel trained in hazardous waste recognition and recognition of other unacceptable waste; and

6. The inspection shall be recorded on the waste inspection form found in permit application. The form shall be placed in the operating record at the end of the operating day.

I. Disposal of Liquids

Disposal of containers larger than household size (five gallons) holding any liquid, noncontainerized material containing free liquids, sludge containing free liquids, or any waste containing free liquids in containers larger than five gallons is prohibited.

J. Disposal of Special Wastes

Animal carcasses may be disposed at the bottom of the landfill working face and must be covered with other solid waste or earth by the end of the operating day they are received or they may be disposed in a special trench or pit prepared for the acceptance of dead animals. If a special trench is used, animals placed in the trench shall be covered with six inches of earth by the end of each operating day.

Asbestos waste shall be handled and disposed in accordance with UAC-315-315-2.

If loads of incinerator ash are accepted for disposal it shall be transported in such a manner to prevent leakage or the release of fugitive dust. The ash shall be completely covered with a minimum of six inches of material, or use other methods or material, if necessary, to control fugitive dust. Ash may be used for daily cover when its use does not create human health and environmental hazard.

K. Self Inspections

The Permittees shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health. These general inspections shall be completed no less than quarterly and shall cover the following areas: Waste placement, compaction, and cover; cell liner; leachate collection system; fences and access controls; roads; run-on/run-off controls; ground water monitoring wells; final and intermediate cover; litter controls; and records. A record of the inspections shall be placed in the daily operating record on the day of the inspection. Areas needing correction, as noted

on the inspection report, shall be corrected. The corrective actions shall be documented in the daily operating record.

L. Recordkeeping

The Permittees shall maintain and keep on file at Wasatch Regional Class V Landfill office, a daily operating record and other general records of landfill operation as required by UAC R315-302-2(3).

The daily operating record shall include the following items:

1. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
2. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;
3. Results of other monitoring required by this permit recorded in the operating record on the day of the event or the day the information is received;
4. Records of all inspections conducted by the Permittees, results of the inspections, and corrective actions taken shall be recorded in the record on the day of the event.

The general record of landfill operations shall include the following items:

1. A copy of the Permit including the permit application;
2. Results of inspections conducted by representatives of the Utah Solid and Hazardous Waste Control Board and/or representatives of the Tooele County Health Department, when forwarded to the Permittees;
3. Closure and Post-closure care plans;
4. Records of employee training;
5. Results of groundwater monitoring; and
6. Results of landfill gas monitoring.

M. Reporting

The Permittees shall prepare and submit, to the Executive Secretary, an Annual Report as required in UAC R315-302-2(4). The Annual Report shall include: the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism, a re-application for approval of the financial assurance mechanism, any leachate analysis results, all ground water monitoring results, the statistical analysis of ground water monitoring results, the results of gas monitoring, and all training programs completed.

N. Roads

All access roads, within the landfill boundary, used for transporting waste to the landfill for disposal shall be improved and maintained as necessary to assure safe and reliable all-weather access to the disposal area.

IV. CLOSURE REQUIREMENTS

A. Closure

Final cover of the landfill shall be as shown in the permit application. The final cover shall meet at a minimum the standard design for closure as specified in the UAC (R315-303-3(4)) plus sufficient cover soil or equivalent material to protect the low permeability layer from the effects of frost, desiccation, and root penetration. A quality assurance plan for construction of the final landfill cover shall be submitted to, and approval of the plan must be received from the Executive Secretary prior to construction of any part of the final cover at the landfill.

B. Title Recording

The Permittees shall also meet the requirements of UAC R315-302-2(6) by recording with the Tooele County Recorder as part of the record of title that the property has been used as a landfill.

C. Post-Closure Care

Post-closure care at the closed landfill shall be done in accordance with the Post-Closure Care Plan contained in the permit application. Post-closure care shall continue until all waste disposal sites at the landfill have stabilized and the finding of UAC R315-302-3(7)(c) is made.

D. Financial Assurance

A financial assurance mechanism covering closure and post-closure care costs shall be proposed by the Permittees and approved by the Executive Secretary. The approved mechanism shall be established by the Permittees prior to receipt of waste. An annual revision of closure costs and financial assurance funding shall be submitted to the Executive Secretary as part of the annual report. The financial assurance fund shall be adequately funded to provide for the cost of closure at any stage or phase or anytime during the life of the landfill, and must be fully funded within five years of the date waste is first received at the landfill. If a trust fund is chosen as the financial assurance method the first payment to the fund will be 20% of the estimated closure and post-closure care costs. If a trust fund is used, annual payments shall be determined by the following formula:

$$NP=[CE-CV]/Y$$

where NP is the next payment, CE is the current cost estimate for closure and post-closure care (updated for inflation or other changes), CV is the current value of the trust fund, and Y is the number of years remaining in the pay-in period.

The Permittees shall notify the Executive Secretary of the establishment of the approved financial assurance mechanism and must receive acknowledgment from the Executive Secretary that the established mechanism complies with the approved method.

E. Financial Assurance Annual Update

An annual revision of closure costs and financial assurance funding as, required by R315-309-2(2), shall be submitted to the Executive Secretary as part of the annual report

V. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this permit may be made upon application by the Permittees or by the Executive Secretary. The Permittees will be given written notice of any permit modification initiated by the Executive Secretary.

B. Permit Transfer

This permit may be transferred to a new permittee or new permittees by meeting the requirements of the permit transfer provisions of UAC R315-310-10.

C. Expansion

This permit is for the operation of a Class V Landfill according to the design and Operation Plan described and explained in the permit application. Any expansion of the current footprint designated in the description contained in the permit application, but within the property boundaries designated in the permit application, will require submittal of plans and specifications to the Executive Secretary. The plans and specifications must be approved by the Executive Secretary prior to construction.

Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the permit application will require submittal of a new permit application in accordance with the requirements of UAC R315-310 and UCA 19-6-108(1)(d) including all approvals required in UCA 19-6-108.

Any addition to the acceptable wastes described in Section 1B will require submittal of all necessary information to the Executive Secretary and the approval of the Executive Secretary. Acceptance for PCB bulk product waste under UAC R315-315-7(3)(b) can only be done after submittal of the required information to the Executive Secretary and modification of Section IC of this permit.

D. Expiration

This permit shall expire on February 17, 2010. Application for permit renewal shall be made at least 180 days prior to the expiration of this permit. If a timely renewal application is made and the permit renewal is not complete by the expiration date, this permit will continue in force until renewal is completed or denied.

E. Status Notification

Eighteen months from the date of this permit the Executive Secretary shall be notified in writing of the status of the construction of this facility unless construction is complete and operation has commenced. If construction has not begun within 18 months the Permittees will submit adequate justification to the Executive Secretary as to the reasons that construction has not commenced. If no submission is made or the submission is judged inadequate by the Executive Secretary, this permit will be revoked.

F. Construction Approval and Request to Operate

The Permittees shall meet each of the following conditions prior to receipt of waste:

1. The Permittees shall notify the Executive Secretary, prior to acceptance of waste, that all the requirements of this permit have been met and all required facilities, structures and accounts are in place as required.
2. The Permittees shall submit to the Executive Secretary, documentation that local government approval has been obtained for operation of this landfill.
3. The Permittees shall not construct any portion of the landfill where the bottom elevation is less than 5 feet above the historic high ground water level.